

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

BRITTNEY MCDOUGLE, INDIVIDUALLY, AND
ON BEHALF OF THE HEIRS
AND WRONGFUL DEATH BENEFICIARIES
OF MICHAEL D. MCDOUGLE, SR., DECEASED

PLAINTIFFS

v.

CIVIL ACTION NO. 3:15-cv-00350-CWR-FKB

NESHOBIA COUNTY, MS, SHERIFF TOMMY WADDELL,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
CITY OF PHILADELPHIA, MS, CHIEF GRANT MEYERS,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
AND OFFICERS BRAD CROCKETT, ERIC LOWDNEES,
BRAD POE, AND "JOHN DOES 1-6", ALL IN
THEIR INDIVIDUAL AND OFFICIAL CAPACITIES

DEFENDANTS

AFFIDAVIT

1. My name is David Spivey. I am a resident of Mississippi, with a place of residence at 279 Gum Street, Philadelphia, Mississippi 39350. I am above the age of twenty-one and I have knowledge of the facts set out in this affidavit.
2. On November 1, 2014, I was a jail trusty for the Neshoba County Jail in Neshoba County, Mississippi.
3. While on duty on November 1, 2014, I witnessed Mr. Michael McDougle being drug from the squad car by his head into the jail around 11:10 p.m. Mr. McDougle was being brutally mistreated during his entrance into the jail.
4. Furthermore, Mr. McDougle was tasered by the police officers while in handcuffs once inside the jail. As a result of being tasered, Mr. McDougle urinated on himself.
5. As a jail trusty, it was my job to clean up the urine from the floor. During my clean up, I noticed that Mr. McDougle was incoherent. At that time, I stated that Mr. McDougle

needed medical attention. However, they were slow to provide immediate medical attention.

6. The jailers at the Neshoba County Jail called the EMT. Once they arrived, they only stayed for about five to ten minutes. The paramedics laughed at Mr. McDougle when they arrived to the scene and opined that Mr. McDougle was under the influence of an illegal substance.
7. During the mistreatment, Mr. McDougle was bleeding onto blankets from the injuries he sustained from the officers. While on the Neshoba County Jail's premises, I noticed jail officials place the blankets in a paper bag and throw them away.
8. Throughout the night, Mr. McDougle informed the jailers that his head was hurting. Mr. McDougle requested further medical attention, but was denied.
9. Mr. McDougle remained at the Neshoba County Jail overnight, and he was found dead on November 2, 2014.



DAVID SPIVEY

STATE OF MS
COUNTY OF Neshoba

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named **DAVID SPIVEY** who being by me first duly sworn states on oath that the facts, matters and allegations in the above and foregoing Affidavit are true and correct as therein stated.



DAVID SPIVEY

Sworn to and subscribed before me this 24 day of September, 2015.

My commission expires



Geneane C McDonald
NOTARY PUBLIC